

JUN 30 2006

Atty Docket No. 021756-019600US

PTO FAX NO.: 1-571-273-8300

ATTENTION: Examiner Catherine M. Tarae

Group Art Unit 3633

**OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER CATHERINE M. TARAE**

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents in re Application of Christopher L. WONG et al., Application No. 09/742,458, filed December 19, 2000 for METHOD AND APPARATUS FOR DYNAMIC BUSINESS MANAGEMENT are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. SB/21 Transmittal Form (1 page)
2. Response to Notice of Non-Compliant Amendment (15 pages)
3. Copy of Notice of Non-Compliant Amendment (4 pages)

Number of pages being transmitted, including this page: 21

Dated: June 30, 2006


Krista K. Merriman

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 415-576-0200
Fax: 415-576-0300
3994

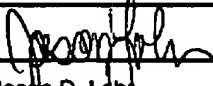
60811067 v1

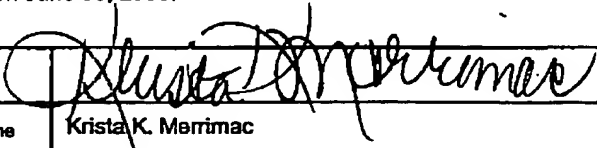
JUN 30 2006

PTO/SB/21 (08-04)

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/742,458	
	Filing Date	December 19, 2000	
	First Named Inventor	Wong, Christopher L.	
	Art Unit	3623	
	Examiner Name	Catherine M. Tarao	
Total Number of Pages In This Submission	21	Attorney Docket Number	021756-019600US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to T : <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice of Non-Complaint Amendment, Facsimile Transmittal
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Jason D. Lohr		
Date	June 30, 2006	Reg. No.	48,163

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. 1-571-273-8300 on June 30, 2006.			
Signature			
Typed or printed name	Krista K. Merrimac	Date	June 30, 2006

60811059 v1

JUN 30 2006

021756-019600US
JOLSF

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,458	12/19/2000	Christopher L. Wong	021756-019600US	8837
51206	7590	06/15/2006		
TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
			EXAMINER	
			ART UNIT	PAPER NUMBER

DATE MAILED: 06/15/2006

Response Due 04/23/06
Final 07/23/06

Please find below and/or attached an Office communication concerning this application or proceeding.

P/L

BEST AVAILABLE COPY

BEST AVAILABLE COPY

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/742,458

Examiner

C. Michelle Tarae

Applicant(s)

WONG ET AL.

Art Unit

3623

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 31 March 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections the **entire corrected amendment** must be resubmitted.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

U.S. Patent and Trademark Office

C. Michelle Tarae
C. Michelle Tarae, Telephone No.

Patent Examiner
Art. Unit 3623

Part of Paper No. 2060612

BEST AVAILABLE COPY

Continuation Sheet (PTOL-324)
PTOL-324 (01-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

Continuation Sheet (PTOL-324)

Application No. 09/42,458

DESIGN AVAILABLE COPY

Continuation of 4(e) Other: Examiner could not reconcile the listing of claims with the status of the claims as indicated in the Remarks. For example, the Remarks indicate that claims 37 and 39-40 have been canceled, but the listing of claims shows that claims 37-40 have been canceled. Additionally, the Remarks indicate that claims 41-69 have been added, but the listing of claims shows that claims 41-70 have been added. Accordingly, Applicant is given the greater of 30 days or one month to clarify the status of the claims in case the canceling of any claims was unintentional.